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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/590,075	06/09/2000	Eiji Ueda	2000 0727A	9068
7590 Wenderoth Lind & Ponack LLP 2033 K Street NW Suite 800 Washington, DC 20006			EXAMINER PATEL, HARESH N	
			ART UNIT 2154	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/590,075

Applicant(s)

UEDA ET AL.

Examiner

Haresh N. Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32 and 35-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32, 35-38, 40, 42 and 43 is/are rejected.
- 7) ☒ Claim(s) 39 and 41 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. Claims 32, 35-43 are subject to examination. Claims 1-31, 33, 34 are cancelled. Claims 39 and 41 are allowable but objected to.
2. As per the petition's decision dated 3/19/2008, the abandonment 2/22/2008 has been withdrawn and this office action has been provided for the amended claims, and the claims dated 6/12/2007 were rejected using the prior arts of the office action dated 8/13/2007.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 32, 36, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone et al. 6,642,939 (Hereinafter Vallone-TiVoInc) in view of Vynne et al., 5,960,081, Cray Research, (Hereinafter Vynne-Cray) and MPEG-7: Applications and Supporting Technologies, pages 61-64, Mohamed Abdel-Mottaleb et al., 1998, See IDS, (Hereinafter Mohamed).
5. As per claims 32, 36, and 37, Vallone-TiVoInc clearly teaches a broadcast data receiving method for receiving and outputting broadcast data broadcast on a designated channel including a plurality of multimedia data and attribute information (e.g., col., 7, lines 24 – 38), a broadcast

data receiving device for receiving and outputting broadcast data including a plurality of multimedia data and attribute information (e.g., col., 7, lines 24 – 38), said data device comprising:

sequentially receiving the plurality of multimedia data (e.g., col., 6, lines 29 - 44) and the attribute information included in the broadcast data on a designated broadcast channel (e.g., col., 5, lines 4 - 20);

outputting the stored multimedia data (e.g., figure 1, col., 5, line 56 – col., 6, line 18);

storing (e.g., figures 2 and 4, col., 5, line 56 – col., 6, line 18) the plurality of received multimedia data and the attribute information (e.g., col., 7, lines 24 – 38) included in the broadcast data (e.g., col., 5, lines 4 - 20), plurality of received / stored multimedia data (e.g., col., 5, lines 4 - 20), and the multimedia data and the attribute information being kept under management in association with each other (e.g. col., 6, line 45 – col., 7, line 8); and

creating management information for collectively managing and managing/creating the received /stored multimedia data with reference to the attribute information associated with the management information (e.g., col., 9, lines 19 – 36).

the attribute information includes information indicating data type of the multimedia data (e.g., col., 7, lines 24 – 38), and wherein said managing unit is further operable to refer to the data type included in the attribute information associated with the management information (e.g., col., 7, lines 24 – 38), and change a process for outputting the received / stored multimedia data according to the data type (e.g., figures 12 and 15).

the attribute information includes start-up information of the multimedia data (e.g., figure 19).

However, Vallone-TiVoInc does not specifically mention about the attribute information being a table of information respectively corresponding to the data. Vynne-Cray discloses the well-known concept of using the attribute information (e.g., watermark and/or dithering information, paragraph 22 - 26) being a table of information (e.g., paragraphs 78 – 80) respectively corresponding to the data (e.g., paragraph 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc with the teachings of Vynne-Cray in order to facilitate the attribute information being a table of information respectively corresponding to the data because the attribute information would provide information regarding the corresponding broadcast media data. The broadcast media data would be handled based on the corresponding attribute information.

However, Vallone-TiVoInc and Vynne-Cray do not specifically mention about the plurality of multimedia data and the attribute information are included in the broadcast data.

Mohamed discloses the well-known concept of using managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data (e.g., pages 61-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Mohamed in order to facilitate managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data because the managing would help utilize the

multimedia data and the attribute information that is included in the broadcast data. The broadcast data containing independent multimedia data and attribute information would be used for communicating from one entity to another entity.

6. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc, Vynne-Cray and Mohamed in view of "Official Notice".
7. As per claim 35, Vallone-TiVoInc, Vynne-Cray and Mohamed disclose the claimed limitations as rejected above. However, Vallone-TiVoInc, Vynne-Cray and Mohamed do not specifically mention about the data type including an HTML format.

"Official Notice" is taken that both the concept and advantages of providing the data type including an HTML format is well known and expected in the art. For example, Fujii, Sony Corporation, 6,204,842, paragraph 12; Augenbraum et al., 20050149981, Sedna, paragraph 23; Atkinson, 20010039571, paragraph 53; Gruse et al., 6,398,245, IBM, paragraph 320, Inala et al., 6,442,590, Yodlee.com, paragraph 59; Jain et al., 6,360,234, Virage, paragraph 88; and/or Nielsen, Sun Microsystems, 6,510,461, paragraphs 8, 10 and 40, discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the data type including an HTML format with the teachings of Vallone-TiVoInc, Vynne-Cray and Mohamed in order to facilitate attribute information to handle/know the information is based on HTML format because the well-known use of HTML markup language would help implement the attribute related information. The broadcast data-receiving device would benefit the usage of the HTML markup language for controlling the multimedia data received.

8. Claims 38, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc, Vynne-Cray and Mohamed in view of Shoff et al., 6,240,555, Microsoft (Hereinafter Shoff-Microsoft) and “Official Notice”.
9. As per claims 38, 40, Vallone-TiVoInc, Vynne-Cray and Mohamed disclose the claimed limitations as rejected above. Vynne-Cray also discloses the attribute information including data type (e.g., col., 7, lines 24 – 38), data size of each received multimedia data (e.g., paragraph 94) in association with other attributes information (e.g., paragraphs 78 – 80) in the table of information respectively corresponding to the plurality of received multimedia data (e.g., paragraphs 22 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Mohamed in order to facilitate usage of data size and data type related to the multimedia information because the attribute information, i.e., data size and data type, would provide information regarding the corresponding broadcast media data. The broadcast media data would be handled based on the corresponding attribute information, i.e., data size and data type.

Vallone-TiVoInc, Vynne-Cray and Mohamed do not specifically mention about an identification code of each multimedia data.

Shoff-Microsoft discloses the well-known concept of usage of identification code of each multimedia data (e.g., usage of tag, paragraph 61) (e.g., paragraph 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Mohamed with the

teachings of Shoff-Microsoft in order to facilitate usage of an identification code of each multimedia because the identification code would provide information regarding the storage location. The identification code would provide information regarding the link information.

Vallone-TiVoInc, Vynne-Cray, Mohamed and Shoff-Microsoft do not specifically mention about an image number of each multimedia data.

“Official Notice” is taken that both the concept and advantages of providing the data type including an image number of each multimedia data is well known and expected in the art. For example, Fujii, Sony Corporation, 6,204,842, paragraph 12; Augenbraum et al., 20050149981, Sedna, paragraph 23; Atkinson, 20010039571, paragraph 53; Gruse et al., 6,398,245, IBM, paragraph 320, Inala et al., 6,442,590, Yodlee.com, paragraph 59; Jain et al., 6,360,234, Virage, paragraph 88; and/or Nielsen, Sun Microsystems, 6,510,461, paragraphs 8, 10 and 40, discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an image number of each multimedia data with the teachings of Vallone-TiVoInc, Vynne-Cray, Mohamed and Shoff-Microsoft in order to facilitate usage of image number because the well-known use of image number would provide information regarding which image is used. The broadcast media data would be handled based on the attribute information.

10. Claim 32, 36, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc in view of Vynne-Cray and Augenbraun et al., 5,857,181, Hitachi (Hereinafter Augenbraun-Hitachi).

11. As per claims 32, 36, and 37, Vallone-TiVoInc clearly teaches a broadcast data receiving method for receiving and outputting broadcast data broadcast on a designated channel including a plurality of multimedia data and attribute information (e.g., col., 7, lines 24 – 38), a broadcast data receiving device for receiving and outputting broadcast data including a plurality of multimedia data and attribute information (e.g., col., 7, lines 24 – 38), said data device comprising:

sequentially receiving the plurality of multimedia data (e.g., col., 6, lines 29 - 44) and the attribute information included in the broadcast data on a designated broadcast channel (e.g., col., 5, lines 4 - 20);

outputting the received/stored multimedia data (e.g., figure 1, col., 5, lines 4 - 20);

storing (e.g., figures 2 and 4, col., 5, line 56 – col., 6, line 18) the plurality of received / stored multimedia data and the attribute information (e.g., col., 7, lines 24 – 38) included in the broadcast data (e.g., col., 5, lines 4 - 20), plurality of received / stored multimedia data (e.g., col., 5, lines 4 - 20), and the multimedia data and the attribute information being kept under management in association with each other (e.g. col., 6, line 45 – col., 7, line 8); and

the attribute information includes information indicating data type of the multimedia data (e.g., col., 7, lines 24 – 38), and wherein said managing unit is further operable to refer to the data type included in the attribute information associated with the management information (e.g., col., 7, lines 24 – 38), and change a process for outputting the received / stored multimedia data according to the data type (e.g., figures 12 and 15).

the attribute information includes start-up information of the multimedia data (e.g., figure 19);

creating management information for collectively managing and managing/creating the received/ stored multimedia data with reference to the attribute information associated with the management information (e.g., col., 9, lines 19 – 36).

However, Vallone-TiVoInc does not specifically mention about the attribute information being a table of information respectively corresponding to the data.

Vynne-Cray discloses the well-known concept of using the attribute information (e.g., watermark and/or dithering information, paragraph 22 - 26) being a table of information (e.g., paragraphs 78 – 80) respectively corresponding to the data (e.g., paragraph 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc with the teachings of Vynne-Cray in order to facilitate the attribute information being a table of information respectively corresponding to the data because the attribute information would provide information regarding the corresponding broadcast media data. The broadcast media data would be handled based on the corresponding attribute information.

However, Vallone-TiVoInc and Vynne-Cray do not specifically mention about the plurality of multimedia data and the attribute information are included in the broadcast data.

Augenbraun-Hitachi discloses the well-known concept of using managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data (e.g., figures 4-10 and its related description).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi in order to facilitate managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data because the managing would help utilize the multimedia data and the attribute information that is included in the broadcast data. The broadcast data containing independent multimedia data and attribute information would be used for communicating from one entity to another entity.

12. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi in view of "Official Notice".

13. As per claim 35, Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi disclose the claimed limitations as rejected above. However, Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi do not specifically mention about the data type including an HTML format.

"Official Notice" is taken that both the concept and advantages of providing the data type including an HTML format is well known and expected in the art. For example, Fujii, Sony Corporation, 6,204,842, paragraph 12; Augenbraun et al., 20050149981, Sedna, paragraph 23; Atkinson, 20010039571, paragraph 53; Gruse et al., 6,398,245, IBM, paragraph 320, Inala et al., 6,442,590, Yodlee.com, paragraph 59; Jain et al., 6,360,234, Virage, paragraph 88; and/or Nielsen, Sun Microsystems, 6,510,461, paragraphs 8, 10 and 40, discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the data type including an HTML format with the teachings of Vallone-

TiVoInc, Vynne-Cray and Augenbraun-Hitachi in order to facilitate attribute information to handle/know the information is based on HTML format because the well-known use of HTML markup language would help implement the attribute related information. The broadcast data-receiving device would benefit the usage of the HTML markup language for controlling the multimedia data received.

14. Claims 38, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi in view of Shoff et al., 6,240,555, Microsoft (Hereinafter Shoff-Microsoft) and “Official Notice”.

15. As per claims 38, 40, Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi disclose the claimed limitations as rejected above. Vynne-Cray also discloses the attribute information including data type (e.g., col., 7, lines 24 – 38), data size of each received multimedia data (e.g., paragraph 94) in association with other attributes information (e.g., paragraphs 78 – 80) in the table of information respectively corresponding to the plurality of received multimedia data (e.g., paragraphs 22 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi in order to facilitate usage of data size and data type related to the multimedia information because the attribute information, i.e., data size and data type, would provide information regarding the corresponding broadcast media data. The broadcast media data would be handled based on the corresponding attribute information, i.e., data size and data type.

Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi do not specifically mention about an identification code of each multimedia data.

Shoff-Microsoft discloses the well-known concept of usage of identification code of each multimedia data (e.g., usage of tag, paragraph 61) (e.g., paragraph 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Augenbraun-Hitachi with the teachings of Shoff-Microsoft in order to facilitate usage of an identification code of each multimedia because the identification code would provide information regarding the storage location. The identification code would provide information regarding the link information.

Vallone-TiVoInc, Vynne-Cray, Mohamed and Shoff-Microsoft do not specifically mention about an image number of each multimedia data.

“Official Notice” is taken that both the concept and advantages of providing the data type including an image number of each multimedia data is well known and expected in the art. For example, Fujii, Sony Corporation, 6,204,842, paragraph 12; Augenbraun et al., 20050149981, Sedna, paragraph 23; Atkinson, 20010039571, paragraph 53; Gruse et al., 6,398,245, IBM, paragraph 320, Inala et al., 6,442,590, Yodlee.com, paragraph 59; Jain et al., 6,360,234, Virage, paragraph 88; and/or Nielsen, Sun Microsystems, 6,510,461, paragraphs 8, 10 and 40, discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an image number of each multimedia data with the teachings of Vallone-TiVoInc, Vynne-Cray, Augenbraun-Hitachi and Shoff-Microsoft in order to facilitate usage of image number because the well-known use of image number would provide information

regarding which image is used. The broadcast media data would be handled based on the attribute information.

16. Claim 32, 36, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc in view of Vynne-Cray and WO 99/22502, May 6, 1999, Wright et al., Microsoft, PCT/US98/19350 (Hereinafter Wright-Microsoft).

17. As per claims 32, 36 and 37, Vallone-TiVoInc clearly teaches a broadcast data receiving method for receiving and outputting broadcast data broadcast on a designated channel including a plurality of multimedia data and attribute information (e.g., col., 7, lines 24 – 38), a broadcast data receiving device for receiving and outputting broadcast data including a plurality of multimedia data and attribute information (e.g., col., 7, lines 24 – 38), said data device comprising:

sequentially receiving the plurality of multimedia data (e.g., col., 6, lines 29 - 44) and the attribute information included in the broadcast data on a designated broadcast channel (e.g., col., 5, lines 4 - 20);

outputting the received/ stored multimedia data (e.g., figure 1, col., 5, lines 4 - 20);

storing (e.g., figures 2 and 4, col., 5, line 56 – col., 6, line 18) the plurality of received multimedia data and the attribute information (e.g., col., 7, lines 24 – 38) included in the broadcast data (e.g., col., 5, lines 4 - 20), plurality of received / stored multimedia data (e.g., col., 5, lines 4 - 20), and the multimedia data and the attribute information being kept under management in association with each other (e.g. col., 6, line 45 – col., 7, line 8);

the attribute information includes information indicating data type of the multimedia data (e.g., col., 7, lines 24 – 38), and wherein said managing unit is further operable to refer to the data type included in the attribute information associated with the management information (e.g., col., 7, lines 24 – 38), and change a process for outputting the received / stored multimedia data according to the data type (e.g., figures 12 and 15)

the attribute information includes start-up information of the multimedia data (e.g., figure 19)

creating management information for collectively managing and managing/creating the received /stored multimedia data with reference to the attribute information associated with the management information (e.g., col., 9, lines 19 – 36).

However, Vallone-TiVoInc does not specifically mention about the attribute information being a table of information respectively corresponding to the data.

Vynne-Cray discloses the well-known concept of using the attribute information (e.g., watermark and/or dithering information, paragraph 22 - 26) being a table of information (e.g., paragraphs 78 – 80) respectively corresponding to the data (e.g., paragraph 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc with the teachings of Vynne-Cray in order to facilitate the attribute information being a table of information respectively corresponding to the data because the attribute information would provide information regarding the corresponding broadcast media data. The broadcast media data would be handled based on the corresponding attribute information.

However, Vallone-TiVoInc and Vynne-Cray do not specifically mention about the plurality of multimedia data and the attribute information are included in the broadcast data.

Wright-Microsoft discloses the well-known concept of using managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data (e.g., figures 2, 3 and its related description).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft in order to facilitate managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data because the managing would help utilize the multimedia data and the attribute information that is included in the broadcast data. The broadcast data containing independent multimedia data and attribute information would be used for communicating from one entity to another entity.

18. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft in view of "Official Notice".

19. As per claim 35, Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft disclose the claimed limitations as rejected above. However, Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft do not specifically mention about the data type including an HTML format.

"Official Notice" is taken that both the concept and advantages of providing the data type including an HTML format is well known and expected in the art. For example, Fujii, Sony

Corporation, 6,204,842, paragraph 12; Augenbraum et al., 20050149981, Sedna, paragraph 23; Atkinson, 20010039571, paragraph 53; Gruse et al., 6,398,245, IBM, paragraph 320, Inala et al., 6,442,590, Yodlee.com, paragraph 59; Jain et al., 6,360,234, Virage, paragraph 88; and/or Nielsen, Sun Microsystems, 6,510,461, paragraphs 8, 10 and 40, discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the data type including an HTML format with the teachings of Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft in order to facilitate attribute information to handle/know the information is based on HTML format because the well-known use of HTML markup language would help implement the attribute related information. The broadcast data-receiving device would benefit the usage of the HTML markup language for controlling the multimedia data received.

20. Claims 38, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft in view of Shoff et al., 6,240,555, Microsoft (Hereinafter Shoff-Microsoft) and "Official Notice".

21. As per claims 38-41, Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft disclose the claimed limitations as rejected above. Vynne-Cray also discloses the attribute information including data type (e.g., col., 7, lines 24 – 38), data size of each received multimedia data (e.g., paragraph 94) in association with other attributes information (e.g., paragraphs 78 – 80) in the table of information respectively corresponding to the plurality of received multimedia data (e.g., paragraphs 22 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft in order to facilitate usage of data size and data type related to the multimedia information because the attribute information, i.e., data size and data type, would provide information regarding the corresponding broadcast media data. The broadcast media data would be handled based on the corresponding attribute information, i.e., data size and data type.

Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft do not specifically mention about an identification code of each multimedia data.

Shoff-Microsoft discloses the well-known concept of usage of identification code of each multimedia data (e.g., usage of tag, paragraph 61) (e.g., paragraph 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vallone-TiVoInc, Vynne-Cray and Wright-Microsoft with the teachings of Shoff-Microsoft in order to facilitate usage of an identification code of each multimedia because the identification code would provide information regarding the storage location. The identification code would provide information regarding the link information.

Vallone-TiVoInc, Vynne-Cray, Wright-Microsoft and Shoff-Microsoft do not specifically mention about an image number of each multimedia data.

“Official Notice” is taken that both the concept and advantages of providing the data type including an image number of each multimedia data is well known and expected in the art. For example, Fujii, Sony Corporation, 6,204,842, paragraph 12; Augenbraum et al., 20050149981, Sedna, paragraph 23; Atkinson, 20010039571, paragraph 53; Gruse et al., 6,398,245, IBM, paragraph 320, Inala et al., 6,442,590, Yodlee.com, paragraph 59; Jain et al., 6,360,234, Virage,

paragraph 88; and/or Nielsen, Sun Microsystems, 6,510,461, paragraphs 8, 10 and 40, discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an image number of each multimedia data with the teachings of Vallone-TiVoInc, Vynne-Cray, Wright-Microsoft and Shoff-Microsoft in order to facilitate usage of image number because the well-known use of image number would provide information regarding which image is used. The broadcast media data would be handled based on the attribute information.

Response to Arguments

22. Applicant's arguments filed 2/12/2008, pages 6-11, have been fully considered but they are not persuasive. Therefore, rejection of the claims is maintained.

The applicant's statements, Claims 32 and 37 have been amended so as to further distinguish the present invention, as recited therein, from the references relied upon in the rejections, in part, by including features similar to those previously recited in claim 34.

Regarding the applicant's concern, Vallone, it discloses a system including a parser 401 that receives an input stream and divides the stream into events, private data, video, and audio which are stored in separate buffers 410-413. Program logic reads the events stored in the event buffer 413 (602) and generates a sequence of logical segments 603 which correspond to parsed MPEG segments 615. The program logic continues to generate the logical segments 603 until a fixed buffer size is reached. Once this occurs, the program logic generates a new buffer, called a

packetized elementary stream (PES) buffer 605 containing these logical segments 603 in order, plus ancillary control information. This new buffer is then passed to other logic components, which may further process the stream in the buffer by, for example, presenting it for decoding or writing it to a storage medium. (.See column 6, line 29 - column 7, line 37 and Figures 4-6). In the rejection, the ancillary control information is relied upon as corresponding to the claimed attribute information. However, as discussed above, the program logic generates the ancillary control information when it generates the PES buffer 605. The ancillary control information is not disclosed in Vallone as being received by the parser 401 in the input stream. Therefore, Vallone clearly does not disclose or suggest the claimed feature of the receiving unit operable to sequentially receive a plurality of multimedia data and attribute information, the plurality of multimedia data and the attribute information being included independently of each other in broadcast data; the examiner respectfully disagrees. The relied upon disclosure and the teachings of the Vallone are not limited as concluded by the applicant. Vallone discloses the broadly claimed limitations, i.e., please see the cited portions among other places of the cited art that not only contain the applicant concerned content of the art but also the relied upon limitations. Further, when reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963).** Skill in the art is presumed. **In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985).** Every reference relies to some extent on knowledge of persons skilled in the art to

complement that which is disclosed therein. **In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).**

Regarding the applicant' concern, relied upon limitations on Vallone-TiVoInc are not properly supported in U.S. Provisional application no. 60/127,178 and states, "U.S. Provisional Application No. 60/127,178 discloses a method for transmitting data used for ensuring that information in a central site database 100 is the same as information in a client site database as shown in Figure 1. Specifically, data contained in the central site database 100 is appropriately divided into a plurality of pieces of data (subsets), and the subsets are transmitted as object data to a client system 101 using a broadcast wave (e.g., a broadcast transmission 108) or a telephone line (e.g., a telephony server 111). The client system 101 collects the transmitted data so as to construct the same data as the data having been contained in the central site database 100", "referring to the "Basic Television Viewing Object Principles" section, television viewing objects are described as being structured as a collection of attributes". The examiner respectfully disagrees in response to the applicant's arguments. First, the teachings of the Vallone-TiVoInc are not limited as asserted by the applicant, i.e., "a method for transmitting data used for ensuring that information in a central site database 100 is the same as information in a client site database as shown in Figure 1. Specifically, data contained in the central site database 100 is appropriately divided into a plurality of pieces of data (subsets), and the subsets are transmitted as object data to a client system 101 using a broadcast wave (e.g., a broadcast transmission 108) or a telephone line (e.g., a telephony server 111). The client system 101 collects the transmitted data so as to construct the same data as the data having been contained in the central site database 100",

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“referring to the “Basic Television Viewing Object Principles” section, television viewing objects are described as being structured as a collection of attributes”. In fact, contrary to the applicant’s assertions the Vallone-TiVoInc, 60/127,178 discloses not only one but several methods throughout pages 8 to 24, which is not limited to the central site database or structured collection of attributes. When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968)** and **In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963)**. Skill in the art is presumed. **In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985)**. Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. **In re Jacoby, 309 F. 2d 513, 135 USPQ 317 (CCPA 1962)**. The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. **In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969)**. Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein. **In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977)**. Therefore, the rejection is maintained.

Regarding the applicant’s concern, Vynne, it discloses that digital data (watermark, signature), which is embedded in video data having been compressed, is extracted from the video data. Further, as shown in Table 3.1, signature information is extracted from a video frame so as to construct table information. However, in Vynne, the digital data is embedded in image data so

as to make the digital data invisible, and the digital data having been embedded is extracted using a predetermined algorithm. This is apparent from the disclosure that "[t]he invention introduces the idea of adding an imperceptible or barely visible signature or a watermark to the images." (See column 9, lines 45 to 47). Thus, it is difficult for a third party to notice the presence of the digital data, and therefore, it becomes difficult to tamper with the digital data. Based on the above discussion, it is apparent that it is not obvious, in view of Vynne, to separate the signature information from the image data. The separation of the digital data from the image data will allow a third party to notice the presence of the digital data and easily to tamper with the signature information". The examiner respectfully disagrees in response to the applicant's arguments. Vynne-Cray is only relied upon for the showing of the well-known concept of using the attribute information being a table of information respectively corresponding to the data and in fact contrary to the applicant's assertions one of ordinary skilled in the art at the time of invention would very well know that there is no need to separate the signature information from the image data at all, please the claimed limitations of the claim and the rejections. Therefore, the rejection is maintained.

Regarding the applicant's concern for Mohammed-Abdel-Mottaleb, it discusses the MPEG 7 standard and discloses that a descriptor representing information indicating a feature of content is extracted from the content, such as audio data and video data, so as to effectively retrieve the content by using the descriptor having been extracted. (See page 61, the last paragraph starting in the left column and the first paragraph starting in the right column). Further, the extracted descriptor is information indicating the feature of the content itself. This is

because when the content is retrieved, the descriptor, instead of the content, is a subject to be retrieved, and therefore, the descriptor must contain information representing the feature of the content. That is, when the descriptor does not contain the information representing the feature of the content, the content having the feature desired by a user cannot be retrieved. This is apparent from the disclosure that "Feature extraction: Most of the work that has been done for image and video retrieval by content, has focused on either using low level visual features such as color, shape, and texture, or using full text retrieval." (See page 63, right column, section 3)). The examiner respectfully disagrees in response to the applicant's arguments. Abdel-Mottaleb is only relied upon for the showing of the well-known concept of managing of the plurality of multimedia data and the attribute information included in the broadcast data and the plurality of multimedia data and the attribute information are included independently of each other in the broadcast data and in fact contrary to the applicant's assertions one of ordinary skilled in the art at the time of invention would very well know that there is no need to apply the content of the table information of the Vynce to MPEG 7. Also, there is no need of the descriptor as above-mentioned of the MPEG 7 standard for the relied support, please the claimed limitations of the claim and the rejections. Therefore, the rejection is maintained.

Regarding the applicant's concern, Augenbraun, it discloses that transmitted information is augmented with attributes which are used at a receiver to select and locally store information that is of interest to each receiver's user, wherein the attributes and the user selection pattern determine the criteria for storing information locally. The attributes include the utility of each data element in time; interest categories and a level of interest for each of the categories

determined for the collective users; repeat time to the data element; and a hyperlink to associated data elements. Therefore, Augenbraun discloses a technique for storing necessary information from the transmitted information by using the attributes and the user selection pattern; the examiner respectfully disagrees. The relied upon disclosure and the teachings of the Augenbraun are not limited as concluded by the applicant. Augenbraun discloses the broadly claimed limitations, i.e., please see the cited portions among other places of the cited art that not only contain the applicant concerned content of the art but also the relied upon limitations. Further, when reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963).** Skill in the art is presumed. **In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985).** Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein. **In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).**

Regarding the applicant's concern, WO 99/22502, it discloses a system for delivering web content from a webcast center over a broadcast medium to multiple clients. The web content is in the form of web pages found at the sites. The web pages are constructed from various types of content including computer data, audio, video, animation, bit maps or other graphics, applications or other executable code, text, hyper media, or other multimedia types; the examiner respectfully disagrees. The relied upon disclosure and the teachings of the WO 99/22502 are not

limited as concluded by the applicant. WO 99/22502 discloses the broadly claimed limitations, i.e., please see the cited portions among other places of the cited art that not only contain the applicant concerned content of the art but also the relied upon limitations. Further, when reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963).** Skill in the art is presumed. **In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985).** Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein. **In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).**

Regarding the applicant's concern, Shoff, it discloses a technique for obtaining supplemental content synchronized with a video content program, thereby allowing a viewer to perform interactive control on the video content program. In order to enable the interactive control, an electronic programming guide (EPG) is checked, and it is determined whether or not the video content program can be controlled in an interactive manner. If it is determined that the video content program can be controlled in an interactive manner, then a target specification is obtained from the EPG and activated. The target specification contains information about the supplemental program to be used to extend the video content program. However, it is apparent that the technique of Shoff merely controls the video content program in an interactive manner when the EPG contains information which allows for such control; the examiner respectfully disagrees. The relied upon disclosure and the teachings of the Shoff are not limited as concluded

by the applicant. Shoff discloses the broadly claimed limitations, i.e., please see the cited portions among other places of the cited art that not only contain the applicant concerned content of the art but also the relied upon limitations. Further, when reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. **In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963).** Skill in the art is presumed. **In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985).** Every reference relies to some extent on knowledge of persons skilled in the art to complement that which is disclosed therein. **In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).**

Allowable Subject Matter

23. Claims 39 and 41 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

24. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure. For example, Debey, 6,519,693, Delta Beta, also discloses the concept of attribute information being a table (structure) of information as presented in the claims (e.g., figures 1 and 2).

In order to expedite the prosecution of this case, multiple references are used for the rejections to demonstrate that several references disclose the claimed subject matter of the claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2154

6/25/2008